



**U.S. Department of
Transportation**
Office of the Secretary
of Transportation

NOTICE OF ACTION TAKEN

DOCKET OST-95-595

This serves as interim notice to the public of the action described below, taken orally by the Department official indicated; the confirming order or other decision document will be issued as soon as possible.

Applicant: **Compagnie Nationale Air France**

Date Filed: April 27, 1993

Relief requested: Exemption from 49 U.S.C. § 41301 to renew for a period of five years all current exemptions, statements of authorization and special authorizations in order to continue existing services to the United States following the anticipated expiration of the (1946) U.S.-France Air Transport Services Agreement.¹

Applicant representative: V. Michael Straus 202-785-2242

Responsive pleadings: American Airlines, Inc., filed an answer stating that the Department should limit grant of the requested authority to a period of less than 180 days. Air France filed a reply. Both carriers filed additional pleadings. The last of these pleadings was filed on May 26, 1993.

DISPOSITION

Action: Approved In Part; Remainder Dismissed²

Action date: April 13, 1998

Effective dates of authority granted: April 13, 1998-April 13, 1999

Basis for approval (bilateral agreement/reciprocity): 1998 Memorandum of Consultations between the United States and France (1998 MOC).³

Except to the extent exempted/waived, this authority is subject to the following terms, conditions, and limitations: Air France's foreign air carrier permit (Order 76-2-25), standard exemption conditions, and the 1998 MOC.

Action taken by: Paul L. Gretch, Director
Office of International Aviation
under assigned authority (14 CFR 385)

(Petitions for review may be filed from now until 10 days after the service date of the confirming order/letter. Filing of a petition shall not stay the effectiveness of this action.)

¹ Air France also filed for renewal of its foreign air carrier permits in Docket OST-95-594, which we will consider by separate action. Absent these applications, these authorities would have expired by their own terms when the 1946 U.S.-France Agreement terminated on May 5, 1993. These authorities have remained in effect under the automatic extension provisions of the Administrative Procedure Act, 5 USC 558(c) as provided by 14 CFR 377.10 of the Department's Regulations.

² We dismissed that portion of the carrier's application to conduct the operations beyond April 13, 1999, without prejudice to refile at a later date. The duration of this authority is consistent with our usual policy of granting interim exemption authority in cases such as that presented here.

³ On April 8, 1998, the United States and France signed a Memorandum of Consultations (MOC) and initialed the text of a framework for a new Air Transport Agreement (Agreement). The MOC also noted the intentions of each Party to permit immediately, on the basis of comity and reciprocity, operations consistent with the terms of the Agreement.